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**U.S. District Court**

**Eastern District of Missouri (Eastern)**

**CIVIL DOCKET FOR CASE #: 03-CV-732**

**Solae, L.L.C. v. Archer Daniels Co., et al**

Filed: 06/03/03

Assigned to: Honorable Henry E. Autrey

Jury demand: Plaintiff

Demand: \$0,000

Nature of Suit: 830

Lead Docket: None

Jurisdiction: Federal Question

Dkt# in other court: None

Cause: 28:1338 Patent Infringement

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SOLAE, L.L.C.  
    plaintiff

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v.  
ARCHER DANIELS MIDLAND COMPANY  
    defendant

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AMERIFIT NUTRITION, INC.  
defendant

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## DOCKET PROCEEDINGS

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DATE #

DOCKET ENTRY

6/3/03 1 COMPLAINT; # Summons Issued: 2 # Days to Respond: 20 # Counts: 1. Disclosure of Corp Cert issued to: deft; jury demand exhibits attached: A-B (klk) [Entry date 06/03/03]

6/3/03 2 RECEIPT # S2003-007859 in the amount of \$ 150.00 for filing fee (klk) [Entry date 06/03/03]

6/3/03 3 TRACK INFORMATION STATEMENT filed by plaintiff Solae, L.L.C. track 3 preferred (klk) [Entry date 06/03/03]

6/3/03 4 DISCLOSURE of Corporation Interests Certificate Parent companies: E.I. du Pont de Nemours and Company and Bunge Ltd. Subsidiaries: So Good International, Fuji Protein Technologies, DuPont Shineway Louhe Protein Company Limited, and Solae do Brasil. Publicly held company: E.I. du Pont de Nemours and Company and Bunge Ltd. by plaintiff Solae, L.L.C. (klk) [Entry date 06/03/03]

6/3/03 5 NOTICE OF PRIVATE PROCESS SERVER; Process Server: Markell & Associates (klk) [Entry date 06/03/03]

6/3/03 -- REPORT on the filing or determination of an action regarding Patent (cc: form mailed to register) (klk) [Entry date 06/03/03]

6/4/03 6 MOTION by plaintiff Solae, L.L.C. for order to substitute exhibit a of the complaint filed 6/3/03 substituting exhibit a attached (mjm) [Entry date 06/05/03]

6/5/03 7 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for order to substitute exhibit a of the complaint filed 6/3/03 [6-1] (cc: all counsel) (mjm) [Entry date 06/05/03]

6/11/03 8 RETURN OF SERVICE executed upon defendant Amerifit Nutrition on 6/10/03 by personal service by serving Luz Marquez (mjm) [Entry date 06/12/03]

6/12/03 9 RETURN OF SERVICE executed upon defendant Archer Daniels Co. on 6/4/03 by personal service by serving Bonnie Hunt, Registered Agent (mjm) [Entry date 06/13/03]

6/19/03 10 MOTION by plaintiff Solae, L.L.C. for attorney David F. Ries to appear pro hac vice (mjm) [Entry date 06/20/03]

6/19/03 11 RECEIPT # S2003-008389 in the amount of \$ 25.00 for Attorney admission for David L. Ries (mjm) [Entry date 06/20/03]

6/20/03 12 MOTION by plaintiff Solae, L.L.C. for attorney Patricia A. Carson to appear pro hac vice (mjm) [Entry date 06/24/03]

6/20/03 13 RECEIPT # S2003-008425 in the amount of \$ 25.00 for Attorney admission for Patricia Carson (mjm) [Entry date 06/24/03]

6/23/03 14 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney David F. Ries to appear pro hac vice

[10-1] (cc: all counsel) (mjm) [Entry date 06/24/03]

6/23/03 15 ATTORNEY APPEARANCE for plaintiff Solae, L.L.C. by David F. Ries (mjm) [Entry date 06/24/03]

6/26/03 16 ATTORNEY APPEARANCE for defendant Archer Daniels Co. by Stephen H. Rovak, Michael T. Marrah, Kirill Y. Abramov (mjm) [Entry date 06/26/03]

6/26/03 16 MOTION by defendant Archer Daniels Co. for extension of time to answer Plaintiff's complaint until 7/3/03 (mjm) [Entry date 06/26/03]

6/26/03 17 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for extension of time to answer Plaintiff's complaint until 7/3/03 [16-1] (cc: all counsel) (mjm) [Entry date 06/26/03]

6/26/03 18 DISCLOSURE of Corporation Interests Certificate Parent companies: None Subsidiaries: See Attachment Publicly held company: None by defendant Archer Daniels Co. (mjm) [Entry date 06/27/03]

6/30/03 19 MOTION by defendant Amerifit Nutrition for an extension of time to respond to Plaintiff's complaint up to and including 7/14/03 (mjm) [Entry date 07/01/03]

6/30/03 20 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Patricia A. Carson to appear pro hac vice [12-1] (cc: all counsel) (mjm) [Entry date 07/01/03]

6/30/03 21 ATTORNEY APPEARANCE for plaintiff Solae, L.L.C. by Patricia Carson (Entry of appearance received in Clerk's Office on 6/20/03-- Order admitting pro-hac signed 6/30/03) (mjm) [Entry date 07/01/03]

7/1/03 22 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for an extension of time to respond to Plaintiff's complaint up to and including 7/14/03 [19-1] (cc: all counsel) (mjm) [Entry date 07/02/03]

7/2/03 39 RECEIPT # S2003-009526 in the amount of \$ 50.00 for Attorney Admission for Gary Greenburg and Annapoorni Sankaran (mjm) [Entry date 07/23/03]

7/3/03 23 Notice of Motion: Motion to Dismiss by defendant Archer Daniels Co. (mjm) [Entry date 07/08/03]

7/3/03 23 MOTION by defendant Archer Daniels Co. to dismiss Date Motion Received: 7/10/03 [23-1] w/ memo in support and declaration of David K.S. Cornwell in support of motion attached (mjm) [Entry date 07/15/03]

7/10/03 24 MOTION by plaintiff Solae, L.L.C., defendant Archer Daniels Co. for leave to submit motion to dismiss w/ proposed order and motion to dismiss, memo in support and declaration of David K.S. Cornwell attached. (mjm) [Entry date 07/11/03]

7/10/03 24 MOTION by plaintiff Solae, L.L.C., defendant Archer Daniels

Co. for extension of time for Plaintiff to file a response to motion to dismiss up to and including 8/4/03 and Defendant to file a reply in support of motion up to and including 8/14/03 w/ proposed order, motion to dismiss, memo in support and declaration of David K.S. Cornwell attached (mjm) [Entry date 07/11/03]

- 7/11/03 25 MOTION by defendant Amerifit Nutrition to dismiss Plaintiff's Complaint Date Motion Received: 7/11/03 (mjm) [Entry date 07/15/03]
- 7/14/03 26 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for extension of time for Plaintiff to file a response to motion to dismiss up to and including 8/4/03 and Defendant to file a reply in support of motion up to and including 8/14/03 [24-1], granting motion for leave to submit motion to dismiss [24-1] (cc: all counsel) (mjm) [Entry date 07/15/03]
- 7/14/03 27 MOTION by defendant Amerifit Nutrition to withdraw the memo in support of motion to dismiss w/ corrected memo in support attached (mjm) [Entry date 07/15/03]
- 7/16/03 28 MOTION by plaintiff Solae, L.L.C. for additional time to file response to defendant Amerifit's Motion to dismiss (mjm) [Entry date 07/17/03]
- 7/17/03 29 MOTION by defendant Archer Daniels Co. for attorney Donald R. Banowit to appear pro hac vice (mjm) [Entry date 07/18/03]
- 7/17/03 30 MOTION by defendant Archer Daniels Co. for attorney Timothy J. Shea, Jr. to appear pro hac vice (mjm) [Entry date 07/18/03]
- 7/17/03 31 MOTION by defendant Archer Daniels Co. for attorney David K.S. Cornwell to appear pro hac vice (mjm) [Entry date 07/18/03]
- 7/17/03 32 RECEIPT # S2003-009440 in the amount of \$ 75.00 for Attorney Admission for Donald R. Banowit, Timothy J. Shea, Jr., and David K.S. Cornwell (mjm) [Entry date 07/18/03]
- 7/21/03 33 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney David K.S. Cornwell to appear pro hac vice [31-1] (cc: all counsel) (cel) [Entry date 07/21/03]
- 7/21/03 34 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Timothy J. Shea, Jr. to appear pro hac vice [30-1] (cc: all counsel) (cel) [Entry date 07/21/03]
- 7/21/03 35 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Donald R. Banowit to appear pro hac vice [29-1] (cc: all counsel) (cel) [Entry date 07/21/03]
- 7/21/03 36 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for additional time to file response to defendant Amerifit's Motion to dismiss [28-1] Pltff granted until 8/4 to file opposition to Amerifit's motion and Amerifit is granted until 8/14 to file reply (cc: all counsel) (cel)

[Entry date 07/22/03]

- 7/22/03 37 MOTION by defendant Amerifit Nutrition for attorney Gary R. Greenburg to appear pro hac vice (mjm)  
[Entry date 07/23/03]
- 7/22/03 38 MOTION by defendant Amerifit Nutrition for attorney Annapoorni R. Sankaran to appear pro hac vice (mjm)  
[Entry date 07/23/03]
- 7/23/03 40 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Gary R. Greenburg to appear pro hac vice [37-1] (cc: all counsel) (cla) [Entry date 07/25/03]
- 7/23/03 41 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Annapoorni R. Sankaran to appear pro hac vice [38-1] (cc: all counsel) (cla)  
[Entry date 07/25/03]
- 7/25/03 42 DISCLOSURE of Corporation Interests Certificate Parent companies: None. Subsidiaries: All subsidiaries are wholly owned by Amerifit Publicly held company: Jefferies, Inc., Fleet Bank and GlaxoSmithKline each are public companies which own ten percent (10%) or more of Amerifit through various private investment funds which they own or control by defendant Amerifit Nutrition (mjm) [Entry date 07/28/03]
- 8/4/03 43 MOTION by plaintiff Solae, L.L.C. for leave to file resp. to motion under seal w/ resp. attached (mjm)  
[Entry date 08/05/03]
- 8/11/03 44 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for leave to file resp. to motion under seal [43-1] (cc: all counsel) (mjm) [Entry date 08/11/03]
- 8/11/03 45 RESPONSE ( memo in opp.) by plaintiff Solae, L.L.C. to motion to dismiss Plaintiff's Complaint Date Motion Received: 7/11/03 [25-1] w/ declaration of David F. Ries in support of resp. to mtm. attached (FILED UNDER SEAL) (mjm)  
[Entry date 08/11/03]
- 8/11/03 45 SEALED DOCUMENT by plaintiff Solae, L.L.C. [45-1] (mjm)  
[Entry date 08/11/03]
- 8/14/03 46 REPLY by defendant Amerifit Nutrition to response to motion to dismiss Plaintiff's Complaint Date Motion Received: 7/11/03 [25-1] (mjm) [Entry date 08/15/03]
- 8/14/03 47 REPLY by defendant Archer Daniels Co. to response to motion to dismiss Date Motion Received: 7/10/03 [23-1] [23-1] w/ exhs m-o attached (mjm) [Entry date 08/15/03]
- 8/25/03 48 MOTION by plaintiff Solae, L.L.C. for leave to file surreply under seal (mjm) [Entry date 08/26/03]
- 8/26/03 49 RULED DOCUMENT by Honorable Henry E. Autrey granting motion for leave to file surreply under seal [48-1] (cc: all counsel) (mjm) [Entry date 08/27/03]
- 8/26/03 50 SUR-REPLY by plaintiff Solae, L.L.C. to response to motion

to dismiss Plaintiff's Complaint Date Motion Received:  
7/11/03 [25-1], motion to dismiss Date Motion Received:  
7/10/03 [23-1] [23-1] w/ exh 19 attached (FILED UNDER SEAL)  
(mjm) [Entry date 08/27/03] [Edit date 08/27/03]

8/26/03 50

SEALED DOCUMENT by plaintiff Solae, L.L.C.. [50-1] (mjm)  
[Entry date 08/27/03]

Case Flags:  
AO120

END OF DOCKET: 4:03cv732

PACER Service Center			
Transaction Receipt			
08/29/2003 11:21:50			
PACER Login:	fn0018	Client Code:	07579-8050-00000/1322
Description:	docket report	Search Criteria:	4:03cv00732
Billable Pages:	7	Cost:	0.49